

Vanna

United States Court of Appeals

FIFTH CIRCUIT
OFFICE OF THE CLERK

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CLERK

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June 21, 1999

TO: Clerks of the District Courts in the Fifth Circuit

No. 98-51060 - Judd v. University of NM
No. 98-51155 - Judd v. US District Court

(USDC No. MO-96-CV-122)
(USDC No. MO-98-CV-167)

misc-00-332

Dear Fellow Clerks:

The mandates have issued in the above cases. The clerk of this court and the clerks of all federal district courts within this Circuit are directed to refuse to file any pro se civil complaint or appeal by Judd unless Judd submits proof of satisfaction of the \$105 sanction imposed in cause No. 98-51060.

Further, Judd is now a "three-strikes" litigant. He may not proceed IFP in any civil action or appeal filed while he is in prison unless he is under imminent danger of serious physical injury.

Enclosed are a copies of the Court's decisions imposing such sanctions on plaintiff-appellant.

Sincerely,

Chas Fulbruge

Charles R. Fulbruge III

CRF/jmg
Enclosures

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

U.S. COURT OF APPEALS
FILED

No. 98-51060
Summary Calendar

MAY 13 1999

CHARLES R. FULBRUGE III
CLERK

KEITH JUDD,

Plaintiff-Appellant,

versus

THE UNIVERSITY OF NEW MEXICO; ET AL.,

Defendants,

THE UNIVERSITY OF NEW MEXICO;
ALBUQUERQUE POLICE DEPARTMENT,

Defendants-Appellees.

Appeal from the United States District Court
for the Western District of Texas
USDC No. MO-96-CV-122

Before DAVIS, DUHE and PARKER, Circuit Judges.

PER CURIAM:*

Keith Judd appeals the district court's judgment denying his postjudgment motion to unseal records and imposing sanctions for filing frivolous pleadings. Judd's brief addresses neither of these matters. Pro se litigants must comply with the requirements of Fed. R. App. P. 28 that the appellant's argument contain the reasons he deserves the requested relief with citation to authorities and parts of the record on which the

* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

VGA *Judd* *LMQ*

No. 98-51060

-2-

appellant relies. Grant v. Cuellar, 59 F.3d 523, 524 (5th Cir. 1995). As Judd's brief does not satisfy the briefing requirements under Fed. R. App. P. 28 and fails to identify any district court error, it is frivolous and is DISMISSED. See Howard v. King, 707 F.2d 215, 219-20 (5th Cir. 1983); 5TH CIR. R. 42.2.

We previously cautioned Judd that any additional frivolous appeals would invite the imposition of sanctions. See Judd v. University of New Mexico, No. 97-50242 (5th Cir. Dec. 9, 1997) (unpublished). This court may impose sanctions on a litigant sua sponte. See Coghlan v. Starkey, 852 F.2d 806, 808 (5th Cir. 1988). Accordingly, IT IS ORDERED that Judd is sanctioned \$105, thus doubling his cost of bringing this appeal. IT IS ALSO ORDERED that Judd remit payment to the Clerk of this Court. The Clerk of this Court and the clerks of all federal district courts within this Circuit are directed to refuse to file any pro se civil complaint or appeal by Judd unless Judd submits proof of satisfaction of this sanction.

All outstanding motions filed by either Judd or the appellees are DENIED.

APPEAL DISMISSED; MOTIONS DENIED; SANCTION IMPOSED.